

Joe Hardcastle

From: Carpenter, Robert
Sent: Wednesday, April 07, 2004 7:08 AM
To: jfh@hardcastleshober.com
Subject: RE: Status

Funny to hear from you. I spoke with Stiles yesterday and he told me that the numbers are nearly complete. I'll let you know when they arrive. Rob

-----Original Message-----

From: Joe Hardcastle [mailto:jfh@hardcastleshober.com]
Sent: Tuesday, April 06, 2004 5:30 PM
To: Carpenter, Robert
Subject: RE: Status

Rob -

Where do we stand? Although we don't have any particular urgency concerns given our understanding that nothing will be done with the house while we try to work this out, we would like to get this thing moving one way or the other.

- Joe

-----Original Message-----

From: Carpenter, Robert [mailto:rcarpenter@seyfarth.com]
Sent: Friday, March 26, 2004 10:51 AM
To: jfh@hardcastleshober.com
Subject: Status

Joe, I am informed that the accounting is nearly complete, but for a final review with Stiles (who has the flu). I should have something for you next week. Thanks. Rob

Robert B. Carpenter
Seyfarth Shaw
World Trade Center East
Two Seaport Lane
Boston, MA 02210
Direct PH: 617-946-4994
Fax: 617-946-4801

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

2/16/2005

Joe Hardcastle

From: Carpenter, Robert
Sent: Thursday, April 15, 2004 10:38 AM
To: jfh@hardcastleshober.com
Subject: RE: Stiles Open House

News to me. I will find out what I can. Rob

-----Original Message-----

From: Joe Hardcastle [mailto:jfh@hardcastleshober.com]
Sent: Thursday, April 15, 2004 10:36 AM
To: Carpenter, Robert
Subject: Stiles Open House

Rob -

I have just been informed that the 4 Ridgeway Road property again has been listed for sale and that there is an open house scheduled for later today. I am quite disturbed to learn this as I relied on your representation that nothing would be done with the house while we attempted to resolve the matter. Based on my understanding that there would be no effort to sell the property while we discussed possible resolution, I have been exceedingly patient in waiting for the accounting information that you repeatedly have said is almost complete. It now appears that we have been misled as to your client's intentions and will be forced to seek emergency relief from the court.

I would appreciate an explanation of what is going on as soon as possible.

- Joe

-----Original Message-----

From: Carpenter, Robert [mailto:rcarpenter@seyfarth.com]
Sent: Wednesday, April 07, 2004 7:08 AM
To: jfh@hardcastleshober.com
Subject: RE: Status

Funny to hear from you. I spoke with Stiles yesterday and he told me that the numbers are nearly complete. I'll let you know when they arrive. Rob

-----Original Message-----

From: Joe Hardcastle [mailto:jfh@hardcastleshober.com]
Sent: Tuesday, April 06, 2004 5:30 PM
To: Carpenter, Robert
Subject: RE: Status

Rob -

Where do we stand? Although we don't have any particular urgency concerns given our understanding that nothing will be done with the house while we try to work this out, we would like to get this thing moving one way or the other.

- Joe

-----Original Message-----

From: Carpenter, Robert [mailto:rcarpenter@seyfarth.com]
Sent: Friday, March 26, 2004 10:51 AM

To: jfh@hardcastleshober.com

Subject: Status

Joe, I am informed that the accounting is nearly complete, but for a final review with Stiles (who has the flu). I should have something for you next week.
Thanks. Rob

Robert B. Carpenter
Seyfarth Shaw
World Trade Center East
Two Seaport Lane
Boston, MA 02210
Direct PH: 617-946-4994
Fax: 617-946-4801

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

Joe Hardcastle

From: Carpenter, Robert
Sent: Thursday, April 15, 2004 3:40 PM
To: jfh@hardcastleshober.com
Subject: RE: Stiles Open House

Joe, I will look into this and report back to you. Stiles has provided comprehensive financial information to an accountant-type who has been working for some time to pull this information together. Unfortunately she took the week off with her kids without first asking my permission! I agree you and your client have been patient, and not to argue the point, but I do not think your client has lost anything in the interim.

-----Original Message-----

From: Joe Hardcastle [mailto:jfh@hardcastleshober.com]
Sent: Thursday, April 15, 2004 3:03 PM
To: Carpenter, Robert
Subject: RE: Stiles Open House

Rob -

I concur that the agreement we reached was that the house would not be sold until we worked something out. Although I think you are correct that we did not specifically discuss whether or not the house could be shown, I understood the spirit of our arrangement as being that we would not pursue the PI relief while we worked out a fair settlement and that your client would not do anything that we were seeking to prevent. The PI relief we identified included a prohibition against any further acts of infringement, including the marketing of the house.

I understand that the open house was held today and that a brochure was distributed that included photos and the floor plans of the house, now indicating that another designer has a copyright interest in my client's floor plan designs. Also, there apparently was discussion of pending litigation and, in response to a direct question about whether the house was subject to litigation, the listing broker informed a room full of brokers that the litigation has been settled and the house can be sold.

While we would like to be able to resolve this matter, and have in good faith delayed any further litigation action based on your client's commitment to provide accounting information and resolve the matter without further litigation, we have grave doubts about the prospect for settlement in light of the recent developments and the complete failure of your client to follow through with settlement efforts. We also must emphasize again that we have not authorized any use or publication of my client's copyrighted work.

- Joe

-----Original Message-----

From: Carpenter, Robert [mailto:rcarpenter@seyfarth.com]
Sent: Thursday, April 15, 2004 11:02 AM
To: jfh@hardcastleshober.com
Subject: RE: Stiles Open House

Joe, help me out as I look through my notes and scour my memory. Did I ever tell you that we would not show the house? Weren't you simply concerned that Doug would sell and take the sales proceeds and put them beyond the reach of your client? I think I agreed that we would not sell the house (convey title) until we worked something out. Assuming that there is an Open House scheduled, how does this hurt your client or, more importantly, constitute a violation of my representation?

-----Original Message-----

From: Joe Hardcastle [mailto:jfh@hardcastleshober.com]

2/16/2005

Sent: Thursday, April 15, 2004 10:36 AM
To: Carpenter, Robert
Subject: Stiles Open House

Rob -

I have just been informed that the 4 Ridgeway Road property again has been listed for sale and that there is an open house scheduled for later today. I am quite disturbed to learn this as I relied on your representation that nothing would be done with the house while we attempted to resolve the matter. Based on my understanding that there would be no effort to sell the property while we discussed possible resolution, I have been exceedingly patient in waiting for the accounting information that you repeatedly have said is almost complete. It now appears that we have been misled as to your client's intentions and will be forced to seek emergency relief from the court.

I would appreciate an explanation of what is going on as soon as possible.

- Joe

-----Original Message-----

From: Carpenter, Robert [mailto:rcarpenter@seyfarth.com]
Sent: Wednesday, April 07, 2004 7:08 AM
To: jfh@hardcastleshober.com
Subject: RE: Status

Funny to hear from you. I spoke with Stiles yesterday and he told me that the numbers are nearly complete. I'll let you know when they arrive.
Rob

-----Original Message-----

From: Joe Hardcastle [mailto:jfh@hardcastleshober.com]
Sent: Tuesday, April 06, 2004 5:30 PM
To: Carpenter, Robert
Subject: RE: Status

Rob -

Where do we stand? Although we don't have any particular urgency concerns given our understanding that nothing will be done with the house while we try to work this out, we would like to get this thing moving one way or the other.

- Joe

-----Original Message-----

From: Carpenter, Robert
[mailto:rcarpenter@seyfarth.com]
Sent: Friday, March 26, 2004 10:51 AM
To: jfh@hardcastleshober.com
Subject: Status

Joe, I am informed that the accounting is nearly complete, but for a final review with Stiles (who has the flu). I should have something for you next week. Thanks. Rob

Robert B. Carpenter
Seyfarth Shaw

World Trade Center East
Two Seaport Lane
Boston, MA 02210
Direct PH: 617-946-4994
Fax: 617-946-4801

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

Joe Hardcastle

From: Carpenter, Robert [rcarpenter@seyfarth.com]
Sent: Friday, April 23, 2004 9:31 AM
To: Joe Hardcastle
Subject: Status

Joe, my secretary is out and I cannot find where she put the papers. She is back Tuesday. In the meantime, I am told that I should expect the accounting information by 5/1.

Robert B. Carpenter
Seyfarth Shaw
World Trade Center East
Two Seaport Lane
Boston, MA 02210
Direct PH: 617-946-4994
Fax: 617-946-4801

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

Joe Hardcastle

From: Carpenter, Robert [rcarpenter@seyfarth.com]
Sent: Monday, May 03, 2004 7:21 AM
To: Joe Hardcastle
Subject: Status

Joe, I was advised on Friday that the accounting is nearly complete, but for carrying costs. Unfortunately, the person doing the work is on vacation AGAIN (I need her job) and that means another delay of about 10 days. Sorry. The way this is going, I am going to attend to the answer this week. Rob

Robert B. Carpenter
Seyfarth Shaw
World Trade Center East
Two Seaport Lane
Boston, MA 02210
Direct PH: 617-946-4994
Fax: 617-946-4801

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

Joe Hardcastle

From: Carpenter, Robert [rcarpenter@seyfarth.com]
Sent: Wednesday, May 19, 2004 10:04 AM
To: Joe Hardcastle
Subject: Financials

Joe, I am assured that the work is nearly complete and that I will have it shortly. I am trying to get a firm date for you. Rob

Robert B. Carpenter
Seyfarth Shaw
World Trade Center East
Two Seaport Lane
Boston, MA 02210
Direct PH: 617-946-4994
Fax: 617-946-4801

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

Joe Hardcastle

From: Carpenter, Robert [rcarpenter@seyfarth.com]
Sent: Friday, June 18, 2004 7:11 AM
To: Joe Hardcastle
Subject: Stiles

Joe, I spoke with Doug late yesterday. He is reviewing the numbers and will give me the OK (or not) in a day or so. In the meantime, at your suggestion, we discussed settlement. Doug does not recall offering \$30,000 and I have no idea where I got that number, but he does recall a \$20,000 offer that was soundly rejected by your client. His current position is that even though they were not custom plans, the fair value is probably around \$25,000 and he would pay that now to be done with all of this. Let me know. Rob

Robert B. Carpenter
Seyfarth Shaw
World Trade Center East
Two Seaport Lane
Boston, MA 02210
Direct PH: 617-946-4994
Fax: 617-946-4801

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.